## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)
Plaintiff,	) 8:12CR255 )
vs.	DETENTION ORDER
MANUEL MONTOYA-CASTRO,	
Defendant.	}
A. Order For Detention After a detention hearing pursuant to 18 UAugust 31, 2012, the Court orders the about 18 U.S.C. § 3142(e) and (i).	J.S.C. § 3142(f) of the Bail Reform Act on ove-named defendant detained pursuant to
conditions will reasonably assure the X By clear and convincing evidence the	on because it finds: Ilence that no condition or combination of e appearance of the defendant as required. at no condition or combination of conditions f any other person or the community.
which was contained in the Pretrial Service  X (1) Nature and circumstances of the action of the Unith Nebraska after having consent of the Attorney U.S.C. § 1326(a) and su.S.C. § 1326(b).  (b) The offense is a crime of the Offense involves a recommendation of the evidence against the consent of the defendant of the defendant of the evidence against the defendant of t	the offense charged: reviously been convicted of a felony and ted States, being found in the District of re-entered the United States without the General or his successor in violation of 8 subject to ten years imprisonment under 8 of violence. Inarcotic drug. Iarge amount of controlled substances, to ainst the defendant is high. In of the defendant including: In appears to have a mental condition which there the defendant will appear. In a no family ties in the area. In a no substantial financial resources. It is not a long time resident of the community. It is not a long time resident community. It is not a long time and significant community. It is not a long time

DETENTION ORDER - Page 2
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		Probation Parole
		Release pending trial, sentence, appeal or completion of sentence.
(c)	Other F	actors:
,	<u>X</u>	The defendant is an illegal alien and is subject to deportation.
		The defendant is a legal alien and will be subject to deportation if convicted.
	<u>X</u>	The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:

X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The defendant's criminal history.

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: August 31, 2012.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge